

[Details](#)

File #: 2021-511  
Type: Consent Calendar Item  
Body: [City Council](#)  
On agenda: 1/19/2021  
Title: Recommendation to Authorize the City Manager to Execute a Fourth Amendment to the Agreement with Nute Engineering for Engineering Design Services for Cyclic Sewer Rehabilitation Project, Phase 18, in an Amount Not to Exceed \$411,500 for an Aggregate Amount Not to Exceed \$1,556,321. (Public Works 602)  
Attachments: 1. [Exhibit 1 - Original Agreement](#), 2. [Exhibit 2 - First Amendment](#), 3. [Exhibit 3 - Second Amendment](#), 4. [Exhibit 4 - Third Amendment](#), 5. [Exhibit 5 - Fourth Amendment](#)

[Text](#)[Title](#)

Recommendation to Authorize the City Manager to Execute a Fourth Amendment to the Agreement with Nute Engineering for Engineering Design Services for Cyclic Sewer Rehabilitation Project, Phase 18, in an Amount Not to Exceed \$411,500 for an Aggregate Amount Not to Exceed \$1,556,321. (Public Works 602)

[Body](#)

To: Honorable Mayor and Members of the City Council

**EXECUTIVE SUMMARY**

The City of Alameda (City) issued a Request for Proposal (RFP) on November 13, 2015, for engineering design and construction support services for cyclic sewer rehabilitation project, phase 13. Nute Engineering was selected as the most suitable firm to perform these services and was awarded the contract on July 20, 2016 (Exhibit 1). The contract allows for an annual extension for up to four additional years, with each extension coming before City Council for approval. On July 1, 2017, the City Council authorized the first amendment to the agreement to extend the term of the contract only for the design of cyclic sewer rehabilitation project, phase 14 (Exhibit 2). On October 16, 2018, the City Council authorized the second amendment to the agreement to extend the contract for engineering design and construction support for cyclic sewer rehabilitation project, phase 16 (Exhibit 3). On November 19, 2019, the City Council authorized the third amendment to the agreement to extend the contract for engineering design and construction support for cyclic sewer rehabilitation project, phase 17 (Exhibit 4). Staff is requesting a fourth amendment to the contract for engineering design and construction support services for cyclic sewer rehabilitation project, phase 18 (Exhibit 5).

**BACKGROUND**

The City operates the local sanitary sewer collection system comprised of sewer pipes, pump stations, and other facilities. Some of this aging infrastructure has reached its life expectancy and requires rehabilitation. The work to be designed as part of this contract serves as Project Year 7 of the 20-Year Rehabilitation Program included in the City's Sewer Master Plan (SMP), 2015. The SMP utilized information collected through maintenance, inspection, and monitoring activities to assess system condition and capacity. The results were used to identify and prioritize sewer system capital improvement needs in a 20-Year Rehabilitation Program structured to maintain compliance with the Consent Decree and be consistent with the City's sewer rate structure.

Project Year 7 will replace approximately 2.8 miles of existing old and deteriorating sanitary sewer main. Completion of this work is required for compliance under the Final Consent Decree for Consolidated Case Nos. C09-00186-RS and C09-05684-RS, which requires the City to rehabilitate no less than 2.6 miles of sewer main and associated lower laterals and manholes per year, based on a cumulative total. This work is also consistent with and furthers the objectives of the City's 2019 Sewer System Management Plan and adopted Capital Improvement Program.

**DISCUSSION**

A fourth amendment to the contract is needed for engineering design and construction support services for cyclic sewer rehabilitation project, phase 18, consisting of approximately 2.8 miles of sewer main (Year 7 of the SMP). The budget for these services is \$414,500. The location of the sanitary sewer mains in this project were prioritized for replacement based on condition and environmental consequences. The locations are as follows:

- Dahlia Drive, between Island Drive and Camellia Drive
- Camellia Drive, between Mecartney Road and Oleander Avenue
- Mecartney Road, between Country Road and Maitland Drive
- Lilac Street, between Oleander Avenue and Magnolia Drive
- Maitland Drive, between Fitchburg Avenue and Island Drive
- Balboa Court, end to end
- Evelyn Court, from Otis Drive to the end
- Court Street, between Otis Drive and Waterton Street
- San Jose Avenue, between College Avenue and Peach Street
- Grace Street, between Calhoun Street and Levelling Court
- Madison Street, between Fernside Boulevard and Peach Street
- Fillmore Street, from Mound Street to the end
- Adams Street, from Washington Street to Peach Street

The principal goal of the sewer rehabilitation program is to improve the health and safety of the residents of Alameda by rehabilitating the sanitary sewer collection system, eliminating overflows, and reducing the amount of infiltration and inflow into the sewer system. It is expected that the cyclic sewer rehabilitation project, phase 18, will be designed over Fiscal Year 2020-21 with construction starting in July 2021.

<b>Contract</b>	<b>Authorized Amount</b>	<b>Expended to Date</b>
Original Contract	\$ 333,069	\$ 333,032
First Amendment	Term Only	\$ 0
Second Amendment	\$ 394,390	\$ 318,661
Third Amendment	\$ 414,362	\$ 394,158
Fourth Amendment - as proposed	\$ 414,500	\$ 0
<b>TOTAL</b>	<b>\$1,556,321</b>	<b>\$1,045,851</b>

#### ALTERNATIVES

- Authorize the contract amendment as presented.
- Alternatively, Public Works Engineering Division can complete the design in-house. The Engineering Division does not currently have the staffing levels to implement this design and deliver on other capital improvement projects in a timely fashion.

#### FINANCIAL IMPACT

The funds for this project are budgeted in the Capital Improvement Program (Project No. 96003602), for sewer rehabilitation with funding allocated from the Sewer Enterprise Fund (Fund 602). No additional appropriations are needed. There is no impact to the General Fund.

#### MUNICIPAL CODE/POLICY DOCUMENT CROSS REFERENCE

This action does not affect the Alameda Municipal Code.

#### ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment.

#### CLIMATE IMPACTS

There are no identifiable climate impacts or climate action opportunities associated with the subject of this report.

#### RECOMMENDATION

Authorize the City Manager to execute a Fourth Amendment to the Agreement with Nute Engineering for engineering design services for cyclic sewer rehabilitation project, phase 18, in an amount not to exceed \$411,500 for an aggregate amount not to exceed \$1,556,321.00.

#### CITY MANAGER RECOMMENDATION

The City Manager recommends approval.

Respectfully submitted,  
Erin Smith, Public Works Director

By  
Shilpa Patel, Assistant Engineer

Financial Impact section reviewed,  
Annie To, Finance Director

Exhibits:

1. Original Agreement
2. First Amendment
3. Second Amendment
4. Third Amendment
5. Fourth Amendment

cc: Eric Levitt, City Manager